

TOWN OF ATLANTIC BEACH

1981

LAND USE PLAN

EXECUTIVE SUMMARY

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Major Conclusion; Executive Summary.

The Town of Atlantic Beach identified a number of problems that needed to be addressed during the coming ten years. The top priority for the Town is the need to redevelop the central commercial area in the Town and to rehabilitate poor quality housing. In addition, the Town also places a high priority on protecting the remaining valuable environmental features from destruction and on remedying problems caused by poor planning in the past. As a result of its redevelopment needs, the Town is committed to a high growth rate, to tourism and to the facilities that are needed to accommodate both: public sewer, improved access via another bridge to mainland, local street improvement program, public water (recently completed). The Town relies on its land use plan and proposed management system to channel growth to areas needing redevelopment and away from fragile environmental lands. The Town proposes to set up a Redevelopment Committee to advise and direct plans in six identified sections of the Town. The planned zoning ordinance will encourage PUD development and set standards for development in the dunes, maritime forest, shoreline, and wetlands. Restrictions on development when placed against spurs to development, such as a third bridge to the mainland from the isle and the construction of a public sewer system, should result in the achievement of a broad goal: the creation of a pleasant, attractive beach and boating-fishing community with a moderate to high density, and a sustained seasonal population of 30,000 in 1990.

POLICY DISCUSSION

Policy making is the heart of the land use plan. Policy is a statement or principle which is intended to be applied to guide or resolve future decisionmaking. Policy is used by State and Federal agencies, by the County and by the Town itself. Persons and agencies making decisions about government spending use the policy section to determine if the expenditure is consistent with local statements concerning growth, development, facilities, services and use of natural resources. Private individuals use policy to ascertain the timing of the availability of services, such as water, sewer, roads, and the like, which are attractive or necessary to development. Local government uses policies to shape the numerous regulatory tools that shape local action, such as the zoning ordinance, subdivision regulations, building codes, housing codes, and the like.

In preparing this section the Town has closely followed the topical outline in the Guidelines set out by the State for preparing Land Use Plans for approval by the Coastal Resources Commission. Because these regulations were designed to meet the needs of various types of municipal entities, including the large sparsely populated county, the small densely populated county, the moderate size city, the small city, the non-beach town, and the beach community, some of the subject matters addressed are more important to the Town and merit more discussion than others.

Each policy area is presented in the following format:
first, a general discussion of the importance of the subject matter and its relevance to the Town of Atlantic Beach;

second, a list of alternative policies which were considered by the Town;

third, a statement of the full policy selected; including if necessary any conditions or limitations or explanations of that policy;

fourth, an indication of the possible implementation of that policy.

9.1 RESOURCE PROTECTION

This subsection attempts to set forth the natural constraints to development: soils, flooding, fragile environmental areas, hazards, and AECs.

Soils

The soils in Atlantic Beach are limited for the use of on-lot sewage disposal systems (septic systems). Although an individual analysis of each building site is necessary to determine the soils suitability on that site, the Soil Conservation Service has prepared a reasonably accurate analysis of soil capabilities for this use in the Town. Where soils are judged to be unsuitable for septic systems, the reason for the unsuitability may result from the effluent (wastes) reaching the watertable too quickly without proper filtering or from its not reaching it quickly enough (i.e. ponding and lateral movement). The first condition can result in contamination of surficial aquifers; it may make wells unsuitable for use. The second condition can contaminate the canals and the sound and make them unsuitable for fishing and recreational use. (See pages 21-25 for a fuller discussion of this constraint.)

Policy Alternatives. The following policies were considered by the Town: (1) Remove from development use all soils classified

by the Soil Conservation Service as very severe; (2) Remove also those soils classified as severe; (3) Limit development by lot size and use to reach a goal of light development at a low density on either or both of these soil units; (4) Limit development only on new development and for redevelopment, exempting existing uses; (5) Limit development as to density and use but only on prospective new development or redevelopment and only within a set distance of the canals or sound; (6) Rely on the construction of public sewers and the enforcement of existing County Health laws to take care of the problem.

Policy Selected. The Town's soil policy is an essential part of its environmental protection policies. It is Town policy that soils are a limitation to development under the following situations: (1) if the lot to be developed is within 150 feet of estuarine waters; (2) if the soils on the lot as mapped by the Soil Conservation Service are rated as severe or very severe for septic system use; (3) if the waste treatment system to be used in connection with the development is to be a septic system or ground disposal system. The Town supports a public sewer system for the entire Town; however, until such a system is constructed, the Town intends to limit development and protect the estuarine resources of the Town through limitations on development in the estuarine shoreline area. It is Town policy to require large lot sizes for future development, to require maximum practical distance between septic systems and estuarine waters and to limit the clearing of vegetation. The Town supports the current policies of the Coastal Resources Commission as regards development in this area of environmental concern (AEC). The Town supports the enforcement of County Health regulations.

Implementation: The Town will revise its zoning ordinance and subdivision regulations to implement this policy. Zoning changes contemplated include creating a "Soundside District(s)" with separate regulations addressing lot size, setback for septic systems, and requirements about disturbing cover. The Town is tentatively considering requiring a land area of 1666 square feet for each bedroom; establishing a minimum lot size of one-fourth acre; a septic system setback of 75 feet and a cover requirement of 65%. All regulations will have prospective application only.

Slope

The topography of Atlantic Beach is typical of the barrier islands. The main physical features are sand dunes and low lying forests. Sand dunes are steep slopes which are fairly unsuitable for development. The sand is highly susceptible to wind erosion and aerial photos demonstrate that the dunes are in fact migrating several feet each year. Roads built in dune areas will often crumble when their foundation is undermined or will be buried. Residential units have experienced the same fate. Because the dunes are an attractive scenic feature and a unique geological phenomena their leveling in the face of development often meets resistance by the public. The dune system serves an important protective barrier in breaking up wave action during major storms, and thus reducing storm damage. The primary and frontal dune system are included in areas of environmental concern designated by the State. (See pages 26, 27, 35, 36 and 38 for a fuller discussion.)

Policy Alternatives: (1) Protect and preserve the dunes from development and/or from being leveled or removed; (2) Protect and

preserve only the frontal dunes or only the secondary dune system;

(3) Support State or local regulations of the primary or frontal dunes requiring development to be located outside the dune area; (4) Do not preserve but rather encourage only a low density development in the secondary dune system by use of large lot sizes, PUD style development and policies of the Town concerning street standards and paving;

(5) Apply the policies above not only to the present dune areas but also to areas where they are likely to migrate within a certain period of time; (6) Require that the dunes be vegetated and stabilized as part of any development plan; (7) Do not protect or preserve the secondary dune system; (8) Recommend that the State increase and enlarge or decrease and return to local control its management of the frontal dune; (9) Recommend that the State consider nominating sound-side and secondary dunes as AECs.

Policies Selected: The Town finds that the frontal and secondary dunes are important to the Town; they protect development from storm damage and wind erosion; they are aesthetically pleasing, and attractive to future development. It is Town policy to protect the secondary dunes and dune system while allowing development of these areas. The Town will encourage future developers to use planned unit development in these areas. Such a style of development is designed to shift the heaviest portion of development to areas that are less fragile or sensitive, hence, conserving those areas that are more fragile. At the same time the development can proceed to market with the same or more units than allowed under the zoning ordinance. It is Town policy to require large lot sizes in these areas and to limit the amount of cut and fill and the clearing of the vegetation.

Policy Implementation: The Town intends to implement this policy by revising its zoning ordinance and subdivision regulations. The zoning ordinance will allow planned unit development as a special use in this zone; will provide for large lot sizes; and will place restrictions on the amount of vegetation and cover that can be cleared. The subdivision regulations will be amended to require data and information relevant to slope and vegetation; and to designate standards to accomplish this policy. The Town will also consider the adoption of a sedimentation control ordinance (either in addition to the above or as an alternative means of addressing this policy.)

Note: Frontal dune policies also discussed in policies on areas of environmental concern.

Flood Prone Areas

Flood Hazard areas are identified and rated in terms of the probable degree of damage during the 100 year storm. The Federal Government provides insurance to landowners in communities which participate in the federal flood program. Atlantic Beach participates in the program by enforcing a flood hazard ordinance which requires houses to be set on pilings with the habitable area located above the flood elevation. State regulations require compliance with standards for storm resistant structures for houses built in the ocean hazard AEC. Mobile homes have often been considered a hazardous use in flood prone areas. Federal and State programs are subject to being discontinued. Some officials have expressed concern over the severity of the payout in the event of a major hurricane striking the east coast. Other officials would question the health hazards associated with septic systems following flooding.

Policy Alternatives. (1) Recommend that the present State and Federal Insurance system be discontinued, allowing everyone to assume the hazard of building in flood areas; (2) Eliminate mobile homes from the flood area; (3) Eliminate the use of septic systems in the flood area; (4) Retain present regulations and system, but enforce strictly requirement that persons not enclose buildings below the flood elevation; (5) Require stronger flood protective features, such as deeper piling requirements.

Policy Selected. The Town supports programs designed to foster development and building practices that will minimize flood damage from storms and erosion. The Town supports the Federal Flood Insurance Program.

Implementation. This policy is largely self-executing. The Town will continue to participate in the Federal Flood Insurance Program.

Vegetation

The vegetation in Atlantic Beach is typical of many of the barrier islands in the State. Development has greatly decreased the amount of vegetation. In the frontal dunes one finds American beachgrass and seaoates; landward is the maritime forest with live oak and other trees and shrubs which have adapted to live in a salt air environment (the maritime forest took nature hundreds of years to create.) Along the soundside are the wetlands with the juncus marsh. (The marsh will be discussed separately in the later part of this subsection.) Vegetation serves an important function: it prevents the land from blowing or washing away. Many beach communities have experienced difficulties with non-native vegetation becoming incompatible with

native species. A vegetated landscape, especially the maritime forest, is regarded by many persons as beautiful. Others see it as a haven for insects and animals, and a hinderance to development.

Policy Alternatives. (1) Preserve the maritime forest by requesting that it be nominatd as an AEC; (2) Protect as much of the maritime forest as is practical by restricting the density of development in this area and by developing standards dealing with the amount of cover needed on a lot; (3) Prohibit the introduction of non-native plant species to the island; (4) Encourage the planting of any and all kinds of vegetation; (5) Adopt a mandatory vegetation requirement, especially for erosion prone areas; (6) Leave attitudes towards vegetation and protection to the individual lot owner.

Policy Selected: The maritime forest is an important natural resource to the Town. The maritime forest and shrub thicket maintain the stability of the land in the face of wind and water erosion. The forest and shrub thicket are important to the attractiveness of the Town and the island. It is Town policy to protect as much of this resource as possible while allowing for a moderate amount of development which would not be destructive to the uniqueness of this resource. The Town will encourage future developers to use planned unit development in and around these areas. It is the goal of this policy to shift development from wooded areas to the periphery or cleared areas without interfering with developer's expectations concerning the number of dewlling units they will realize from a tract or parcel. It is Town policy to require large lot sizes in these areas and to limit the amount of clearing of vegetation to only so much as is necessary to site a home and provide access.

Implementation: The Town will implement this policy by revising its zoning and subdivision regulations. The zoning ordinance will attempt to recognize this area as a separate district. It will allow planned unit development as a special use in the district; and it will make provisions insuring large lot sizes and the retention of a significant amount of vegetation. The subdivision regulations will require vegetation be addressed and set standards for development which affects maritime vegetation.

Areas of Environmental Concern.

The areas of environmental concern (AECs) within the Town include the ocean hazard area, estuarine and public trust waters, estuarine shoreline and wetlands. The ocean hazard area roughly coincides with the V zone on the flood map. Within the first 60 feet of the seawall, development is prohibited. It is also prohibited in the frontal and primary dune; and in the ocean erodible area where no seawall exists. Outside these specific areas in the ocean hazard AEC, development is controlled but permitted. Atlantic Beach is unique in that a large portion of its shore is bulkheaded. In other areas the bulkheading of the oceanfront has resulted in a loss of the town's beach, together with a loss of the public's right to use the beach.

The estuarine shoreline AEC is intended to protect estuarine resources from pollution. Pollution from the estuarine shoreline area comes from development uses and is related to effluent movement from septic systems, runoff of metals from auto use over impervious surfaces, and sedimentation and siltation from erosion of non-vegetated areas. The State has indicated an intent to restrict the use of septic systems in this area, demanding 30 inch vertical separation between nitrification lines and the watertable unless the system is located over 100 feet from mean high water, and requiring that 30% of the lot be retained in natural cover.

Wetlands, defined as any salt marsh or other marsh subject to regular or occasional flooding by tides, are so heavily regulated by the State that development of these areas for residential purposes is not possible under existing law. The wetlands are especially important to the food chain. (See pages 30-40 for a fuller discussion of AECs.)

Policy Alternatives (Ocean Hazard Regulations) (1) Support AEC regulations in ocean hazard AEC; (2) Recommend Atlantic Beach be exempted from ocean hazard regulations since the Town is bulkheaded; (3) Adopt a policy calling for the abandonment or demolition of the bulkhead to prevent the public from losing the right to the use of the beach; (4) Recommend additional regulations to protect dunes landward of the frontal dunes.

Policy Selected: The Town supports the regulation by the Coastal Resources Commission of development in the ocean hazard area of environmental concern. On the other hand, the Town supports and encourages the maintenance and completion of the bulkhead which already exists and was constructed to protect development from storm damage and

erosion. The Town is aware that construction of the bulkhead would require a Coastal Area Management Act (CAMA) permit needed to develop in an AEC. The Town points out that Atlantic Beach is one of the few bulkheaded beaches in North Carolina, that it has received in the past and is expected to continue to receive in the future regular substantial deposits of dredge material from U.S. Army Corps operations in widening and deepening the channel for navigation to Morehead City. The spoil is currently dumped at Fort Macon and moves to Atlantic Beach by littoral current. The Town believes that this project is beneficial to all persons involved, insuring the Town a beach and a stabilized shoreline, and with that the public's right to use the beach. The Town does not intend to budget or spend public tax monies to maintain or extend the bulkhead as the expense is great and the benefits to the entire Town very limited.

Implementation: This policy is self-executing. In the event that the Coastal Resources Commission determines that this policy contradicts policies it has established for beach access or erosion, or in the event that the Commission denies a permit for activity contemplated above, the Town, would if requested by an affected landowner, intercede on his behalf.

More Policy Alternatives. (Estuarine Shoreline) (1) Support AEC regulations in the estuarine shoreline area; (2) Recommend abandonment of vertical separation and setback standard above that required under Health Services regulations, i.e. 50 feet from canals and A-II water and 100 feet from SA waters; (3) Request State take action to implement public sewer system for Atlantic Beach; (3) Require bulkheading of all

lots; (4) Require mandatory cover features and restrict types of impervious surfaces in zoning ordinance;

Policy Selected: See policy on Soils. In addition, the Town will require the mandatory bulkheading of all Soundside lots by 1985.

Implementation: The Town will continue its efforts to plan and build a sewer system. The Town urges the State and Federal Government to support such systems in coastal areas that are already developed as tourist centers. The Town contends that this policy and not a policy of no-growth for the barrier islands is consistent with State policy to promote tourism. In the event that the Federal government withdraws support for financing a sewer system in Atlantic Beach, the Town will investigate the possibility of funding a system with only local and State monies.

More Policy Alternatives: (1) Support AEC regulations in wetlands; (2) Not support the same.

Policy Selected: The Town realizes the importance of coastal wetlands to the life cycle of plants and animals. The Town supports State policies towards the wetlands as stated in legislation and as embodied in the regulations for wetlands areas of environmental concern. The Town will enact local measures designed to complement this State action and which will preserve this area from future development which might irreparably damage this resource.

Implementation: The Town will designate the wetlands area as a fragile zone or district in the zoning ordinance. This zone will be restricted in terms of permitted uses. Very large lot sizes (5 or 10 acres) will be required for development.

Historic, Cultural and Archaeological Resources.

Just east of Atlantic Beach is Fort Macon State Park, an historic site which draws a considerable number of visitors to the Town. Within the Town and especially along the western oceanfront are numerous old beach houses which may possess some historical significance. Shipwrecks may exist off the shoreline. No specific archaeological sites are known. The Town has not conducted a study of its historic structures. The determination that housing is of historic value can be of significant value to individual landowners and the Town since it allows tax incentives with restoration and maintenance.

Policy Alternatives: (1) Require the Town and major developers notify the State if items of potential archaeological significance are encountered in construction; (2) Require a site inspection by a qualified archaeologist prior to development; (3) Conduct a survey of historic structures with the intent of delineating the boundary for an historic district zone; (4) Take no action.

Policy Selected. The Town will require that the Department of Cultural Resources be notified prior to the Town undertaking any development which might affect items of archaeological significance.

Implementation. The Town Council will issue a directive to various administrative departments comprising the Town.

Hurricane and Flood Evacuation Needs and Plans.

The existing capacity of the transportation system to evacuate persons during a major storm is probably not adequate, however, that capacity is being enlarged with the planning and construction of a third bridge to the Bogue Banks. The Town coordinates with other towns and

the County in addressing the administrative details of an evacuation. The Town's ability to evacuate will be intimately tied in with its policies toward the transportation system.

Policy Alternatives: (1) Support construction of a third bridge to the Bogue Banks; (2) Not support the same.

Policy Selected. The Town supports the construction of a third bridge to the Bogue Banks.

Implementation. The Town has passed resolutions adopting the DOT plan addressing construction of a bridge from mainland to Bogue Banks. The Town supports Alternative A as designated in the Plan.

9.2 RESOURCE PRODUCTION AND MANAGEMENT

Whereas the first subsection of policies dealt with natural resources that were not considered appropriate for production, this section attempts to address those other resources of the Town that when properly managed are part of development. These resources include: agricultural lands, forest lands, mineral lands, fisheries and the beaches.

Agricultural Lands

Agricultural uses are not now, nor are they anticipated to be in the future, an important use within the Town. No prime agricultural lands are known to exist within the Town's current limits or its planning jurisdiction. The Town has decided to not make policies governing this use.

Forest Lands

Commercial forestry is not currently a significant use within the Town. A modest amount of land in and near the Town is wooded, most of this in maritime forest or shrub thicket. The commercial harvesting of these areas seems unrealistic. The Town views its forested areas as a resource that needs protection, and not a resource that should be subject to multiple uses. Since these conclusions seem obvious from the policies adopted in the first section, the Town has decided to adopt the following policy.

Policy: The commercial harvesting of the maritime forest, shrub thicket, or any other wooded area within the Town's planning jurisdiction is an inappropriate use.

Implementation: With the exception of consistency review by the State or Federal government for project requiring permits or review, the Town is unaware of any action it could take to implement this policy.

Mineral Production Areas

Mining is not currently, nor is it expected to be in the future, an important or significant use within the Town's planning jurisdiction. The Town obviously has a significant amount of land in dunes. The dunes could be viewed as a potential source of various grades of sand with perhaps some mining potential, with perhaps some use as fill. As with the maritime forest, the secondary dune system is considered a valuable resource that needs protection and should not be subject to management and multiple use. Since these policies seem obvious from the policies adopted in the first section, the Town has decided to adopt the following policy.

Policy: The mining of the secondary dunes system, or any other dunes or land, within the Town's planning jurisdiction is considered an inappropriate use.

Implementation: Mining is not a permitted or special use under the zoning ordinance. Where activities might not come within the scope and jurisdiction of this ordinance the Town relies on the State Mining Act and the consistency review as described in previous sections to implement this policy.

Fisheries

Commercial fisheries do not exist within the Town; however they are an important use in nearby Beaufort. Some commercial net fishing

is carried on along the ocean. Recreational fishing is popular. Fishing uses have the potential for conflicting with other beach uses such as bathing, walking and swimming. Fishing uses have traditionally been heaviest in the fall months when the potential for conflict is lowest.

Commercial fishing is not subject to local regulation; the industry is regulated by the Marine Fisheries Commission. The limitation of sport fishing use can be effectively accomplished through policies governing the use of off road vehicles. The Marine Fisheries Commission has been receptive towards assisting local governments with specific problems.

Policy Alternatives: (1) Limit commercial fishing and/or recreational fishing in terms of area (strands of the beach), access, and time; (2) Do not limit or restrict. Implementation alternatives include making requests of the Marine Fisheries Commission to enact regulations and could include provisions mandating notice of nets or limitations on the fishing season in Atlantic Beach. The Town may desire to enact notice features without approaching the Commission. Additional provisions could be added to the off road vehicle (ORV) ordinance.

Policy Selected: The Town will not place additional limitations or restrictions upon commercial or recreational fishing beyond that which is currently in effect. County enforcement of the ORV ordinance is deemed sufficient to handle problems of conflicts in use.

Implementation: None required.

Off Road Vehicles

Off road vehicles consist of four wheel vehicles and bikes. They include jeeps, jeepsters, dune buggies and drag bikes. Commercial and sport fishermen often consider the use of these vehicles essential to their use. Since these are favored uses at the State and local level, the restrictions on access are justified only where they cause considerable harm to the environment or where they conflict with other uses. The driving of off road vehicles for sport and not connected with a fishing use does not enjoy the same privileged status. The damages from off road vehicles in Atlantic Beach are related to the terrain in which they are used. Where such vehicles are driven in the dunes and along the beach, they can be expected to increase erosion, damage the protective features of the dune system, and conflict with other beach uses--bathing, swimming, walking. The Town has exercised its authority over access control and season and nature of use through the support of the County ORV ordinance.

Policy Alternatives: (As regards policies on commercial fishing, see previous section on fishing.) (1) Limit the use by restricting the number and location or access points, the season and area permitted for the use; (2) Do not limit the use.

Policy Selected: The Town supports County enforcement of the ORV ordinance. It favors additional access and ORV ramps. It has no intention of enacting additional regulations.

Implementation: None needed.

9.3 ECONOMIC AND COMMUNITY DEVELOPMENT

The following subsection deals with policies towards various aspects of growth. These included the nature of the growth desired,

its location, its timing and the timing and delivery of services necessary to encourage, sustain or discourage that growth.

General Attitude Towards Growth.

Prior to discussing the various policies and attitudes towards many areas that make up the total attitude towards growth, it is useful to state broadly the Town's general policy towards growth. We might note that the Town has a broad attitude towards the environment, namely it favors the protection of environmental features; also, it has a general attitude towards resource management, namely, it favors a prioritization of management uses, one that protects beach use for swimming and bathing, then fishing uses, then other uses, and one that favors the protection of other resources normally subject to multiple uses, especially where those resources are important to the unique aesthetic or environmental quality of the Town, as are its maritime forest and its dunes. The Town's attitude towards growth has a bearing on the difficulty it may encounter in achieving other broad goals. Where a Town does not desire to grow, little conflict could be expected from aggressive policies towards protection and severe limitation of uses; however, where a Town desires a high rate of growth, the limited amount of land available for development, and the desire to achieve other goals will create considerable conflicts which can only be resolved through adept management.

Policy Alternatives: (1) Limit the growth rate to a lower percentage than was incurred in the 1970s; (2) Attempt to achieve same growth rate; (3) Seek to increase the rate of growth over that incurred in the 1970s (either slightly or significantly).

Policy Selected: The Town will seek to significantly increase its 1970s growth rate.

Implementation: See network of policies that follow in this subsection.

Industrial Development.

The Town of Atlantic Beach has not incurred any significant amount of industrial development, unless one considers the shipbuilding, maintenance, storage and repairs undertaken by the marinas as industrial rather than commercial. The marinas are an attractive use to the Town. However, the ability to find future sites is believed to be extremely limited.

Policy Alternatives: (1) Encourage the location of future marinas; (2) Do not encourage;

Policy Selected: The Town does not consider industrial development to be an appropriate use within the Town. The Town would like to encourage the siting of additional marinas within the Town.

Implementation: The Town will designate and provide for such future development in the zoning ordinance. The Town will work with State and Federal agencies to develop dredging plans and find spoil sites. The Town will budget appropriate funds for this expense.

Residential Development

The housing needs for persons living and vacationing in Atlantic Beach has been met principally through traditional single family structures, mobile homes, and motel units. Recently Atlantic Beach, more than any other beach in North Carolina, has experienced heavy condominium multi-family housing. The Town probably has more mobile

homes than any other beach community in the State.

Atlantic Beach is one of the older beach communities in the State. A large section of the housing is in poor condition. This observation, plus the large number of mobile homes which have a shorter useful life than conventional housing, makes redevelopment an especially relevant topic.

Policy Alternatives: (1) Continue policy towards limiting the number of mobile homes within the Town; (2) Designate areas for redevelopment and encourage redevelopment through upzoning (changing district in zoning ordinance to one permitting a higher market use, as from residential to commercial); (3) Encourage multi-family development using PUDs in blighted areas; (4) Organize neighborhood committees to create atmosphere for housing improvements; (5) Budget monies for planning for redevelopment; create overseeing committee to find developers; (6) Redevelop the commercial area with a different theme and layout; (7) Redesign streets and roads as the opportunity affords, with specific priorities established, such as addressing the road alignment for the street closest the beach, for streets exiting from subdivisions with poor access. (All of these policies infer that some redevelopment is desirable and the general policy here; another alternative, of course, is not to redevelop.)

Policy Selected: It is Town policy to promote, foster and encourage the redevelopment of old, poorly designed, underutilized areas. Redevelopment is preferred and deemed more important than development of presently undeveloped areas. The potential for commercial development or townhouse or multi-family development will

be limited and restricted in undeveloped areas in or near the Town until redevelopment of areas identified here are completed. The Town specifically desires redevelopment of the following areas: (1) the mobile home park at the west end of Old Causeway Road; (2) the mobile home development, consisting of several blocks, between Fort Macon Road and W. Davis Street; (3) the mobile home park adjacent to the Oceana Motel; (4) residential areas bordering on subdivisions which do not compliment each other, i.e. street systems do not adequately connect; (5) residential and commercial area in the triad (also referred to as the circle); (6) commercial and residential area on Henderson Blvd.

It is Town policy to gradually curtail the use of mobile homes within the Town, especially in the flood zones. However, it is also Town policy to recognize an area or number of areas where mobile home use would be appropriate, subject to restrictions which would insure some quality and safety of development.

Preferred redevelopment uses include townhouses and apartment buildings and commercial housing (motels). Planned unit development is the preferred method of redevelopment.

It is Town policy to take an active supervisory role in all future development projects. All projects are required to consider the Town's environmental policies and to address the Town's other public needs, especially its needs for a sound street system and for public access to the beaches.

In addressing future rezoning applications for commercial housing or townhouse or multi-family housing, the Town will consider, among other factors, the following: (1) a preference to have commercial and other intense land use that generate a substantial amount of traffic

and other impact locate in a pocket and away from the main traffic routes; (2) a preference to have the uses described above locate with entrances and exits along streets and roads that are perpendicular to the nearest main traffic route; (3) a preference to redevelop areas in poor condition.

Many areas not prioritized for redevelopment are in poor condition with poor road design, loss of vegetation, dilapidated housing, mixed uses, etc. The Town will begin a program of strict enforcement of the minimum code as a means to improve the quality of existing development.

Implementation: In order to implement the above policies, various local and state actions may be necessary. The Town requests that the State foster legislation to specifically allow contract zoning. The Town will revise its zoning ordinance to allow higher market uses in the areas specifically designated in the policy section. The Town will compensate for these additions by limiting some of the areas already designated for future commercial uses (or high density residential uses.) The Town will request that the County give it planning control over additional areas outside town limits.

The Town will budget monies to purchase lots forming the boundary between subdivisions that do not properly meet; the Town will negotiate with landowners to purchase lots or parts of lots, to redraw lots and right-of-ways in an effort to alleviate problems from poor subdivision design.

The Town will continue to amortize the use of mobile homes in most districts. A mobile home zone with special standards providing for adequate size lots, sewage disposal standards, elevation of structure and tie-downs, will be created through the zoning ordinance

to recognize a quality existing mobile home use area.

The Town will revise zoning and subdivision regulations to encourage planned unit development in redevelopment as well as sensitive natural feature areas. Incentives, such as bonus units, will be provided for in the ordinance, where the development provides for public needs, such as redesign of the road system and public access.

Future redistricting and rezoning will consider policies set out considering the location of commercial and other intense types of development.

The Town will set up a special committee to implement and coordinate redevelopment activities. These activities will include the supervision of the redevelopment of the triad or circle and other designated redevelopment areas. The redevelopment committee shall be charged with receiving technical reports and recommending a course of action concerning the redevelopment of the triad or circle, including recommending policies, searching for grants, identifying future development alternatives and interested future developers. The Town will budget monies necessary to implement this program.

The Town will retain the services of a full time building inspector to enforce the minimum housing code. The inspector will identify target areas for focusing action during the next five years. The Town will adopt a policy of not alleviating individual landowners of the hardships conditioned by strict enforcement of this ordinance.

Types of Urban Growth Patterns Desired

One aspect of the nature of growth is selecting the area in which the growth should be accommodated. In selecting a pattern for the future the Town needs to consider the siting of the new bridge to

the mainland, the policies towards protection of natural resources and policies towards redevelopment. This policy selection is indicated in the mapping of future use areas on the land classification map. The Town has chosen to include additional breakdowns in uses.

Redevelopment of Developed Areas.

See policies on residential development.

Local Commitment to Providing Services to Development.

Under North Carolina law cities (this includes towns) are required to provide equal level of services to all areas within its jurisdiction. Equal may not always mean the same; nor may it necessarily demand that a particular service be extended to all areas at the same time. The city currently provides water. Subdivision regulations currently require developers to install roads and streets, and surface drainage systems. The difficulty is in providing necessary services to areas which developed without them. Densely developed areas on the canals need sewer to insure protection of estuarine system; commercial development may not be possible without public sewer. Streets in many areas need to be redesigned, realigned and paved. Surface drainage needs to be addressed. However, the costs of these projects are individually substantial. Redevelopment may be necessary to preserve an adequate tax base for future services. The general desire to cut back on government expenditures at national, state, and local levels may impose a greater burden on the Town in the event it desires to pursue a redevelopment course.

Policy Alternatives: (1) Fund public sewer system for entire Town or parts thereof, especially commercial area intended for redevelopment and high density developments along canals; (2) Pursue construction of public sewer system only in the event of a certain percentage of State and Federal funding (or with or without such funding); (3) Develop a capital facility plan to address costs of street and road improvements and to set forth a ten year (or more) plan for improvement; (4) Develop a surface drainage plan; (5) Not take any or all of the projects outlined in the four alternatives noted above.

Policy Selected: The Town is committed to the construction of a public sewer system, preferably with State and or Federal assistance. The Town will make improvements to its water system to meet demands of its 1990 population. The Town will undertake a capital facility plan to budget these uses, improvements to the street system, redevelopment plans and actions and other expenditures.

Implementation: A bond referendum on the local collector system will be held as soon as an intent to construct the public sewer system is realizable.

Commitment to State and Federal Programs.

The commitment to State and Federal Programs involves the Town's attitude towards the continued funding and implementation of programs at the State and Federal level. Obviously the Town is vitally concerned with many programs which would not otherwise appear to involve it as there is significant competition for a limited amount of money available for funding local projects. The Town supports increased or continued government spending at State and Federal levels for the following programs: water and sewer planning and construction, tourism,

flood insurance, economic redevelopment, channel maintenance, navigation, beach nourishment, environmental protection and land use planning.

The Town desires spending in other programs be reduced to attain a balanced budget.

Implementation: The Town intends that this policy be self executing through agency review in the approval of the plan itself. The Town will take such appropriate measures as it deems necessary to implement any of these commitments, namely it will designate spoil sites where it will be benefited by a project, etc.

Assistance to Channel Maintenance and Beach Nourishment.

The Town benefits from the maintenance of the navigational channels in the Sound. Three of the four existing channels appear to need improvements. Spoil disposal sites are difficult to find. Most of the oceanfront property is bulkheaded; some lots without bulkheads are experiencing significant erosion. The Coastal Resources Commission has not been asked to rule on whether it would permit the extension and completion of the oceanfront bulkhead. Beach nourishment has resulted from actions of the U.S. Army Corps in maintaining navigational channels and the loss of the beach has not been a problem in the past. The Town is concerned about the future of this program. The loss of the beach could be a disaster for the Town; importing a beach would be an exceedingly expensive proposition.

Policy Alternatives: (1) Support maintenance of the oceanfront bulkhead; (2) Require the bulkhead be removed at a time in the future; (3) Remove or maintain with Town money, rather than rely on individual landowners, or vice-versa; (4) Commit and budget the eventual replenishment of beach sand in the event of erosion of the beach (to insure the

existence of a public beach); (5) Let nature take its course; (6) Favor the replenishment of the beach with total or substantial State and Federal assistance; (7) Support efforts to expand the scope of dredging operations to several presently non-dredged areas to increase opportunity for commercial development (marinas, ship-building and repair, etc.).

Policy Selected: The Town supports continued dredging and spoil disposal plans of the U.S. Army Corps concerning navigational channels to Morehead City. The Town desires dredging plans be expanded to include improved maintenance in all four channels leading to marina. (This is largely private action requiring State action in form of consistency and permit review.) The Town will assist private actions by designating disposal areas and seeking permits. Disposal will be on ocean beach in eroded areas. The Town encourages the maintenance and extension of the oceanfront bulkhead, but not at the Town's expense.

Implementation: This policy is for application in consistency review and for consideration by other agencies in setting plans and policies. The Town will designate disposal sites, acquire easements and represent, upon request, partial parties pursuing the Town policy before permitting agencies.

Energy Facility Siting and Development.

In the event of offshore discovery and extraction of petroleum and gas resources, the petroleum industry will need accessways for pipelines so that raw materials can be shipped to inland areas for refining. The need for energy is in the balance against the likely or possible damages from the location of the pipeline in the Town. Leakage and offshore

accidents may pose unpleasant side-effects for the Town which depends on the attractiveness of the beach for tourism.

Policy Alternatives: (1) Support use of waters off shores of central North Carolina for energy development, namely exploration of oil and natural gas; (2) Accomodate the placement of pipelines through the Town; (3) Not support the above.

Policy Selected: The Town considers this use inappropriate in light of the nature of the community. However, it might be receptive to allowing the use under certain conditions where it was part and parcel of an approved redevelopment plan.

Implementation: Self-executing.

Tourism

The Town's development priorities and goals of environmental and resource protection clearly state the Town's strong desire to encourage and promote tourism. This policy is implemented through the network of other policies and their respective implementation.

Beach Access

The Town has numerous beach access points, although none are improved, and only a few are designated and marked for public use. The Town also has a public beach. The need for public access to the ocean beaches is apparent and is likely to increase as future development continues to locate without oceanfront access. The lack of a significant number of motels on the oceanfront has increased the problems of beach access, not apparent in similar oceanfront communities. Recent townhouse, multi-family and condominium developments have provided significant public access rights to a large percentage of the Town's population expected to

inhabit these units.

Policy Alternatives: (1) Develop a beach access plan, including determining which access points to improve and scheduling improvements (2) Take incremental action; (3) Not take any action.

Policy Selected: The Town will rely on its redevelopment plan to provide significant beach access in several areas of the Town. The Town will also develop a beach access plan.

Implementation: The Town will request funding from the State and Federal Government to complete a beach access plan.

Intergovernmental Coordination.

The Town has sought to achieve intergovernmental coordination through the exchange of information necessitated in preparing the various elements of this land use plan. Copies of the tentative draft of the land use plan were reviewed by Emerald Isle, Pine Knoll Shores, and Carteret County for consistency with their plans. The same draft of the land use plan has been circulated for State and Federal review by the State Department of Natural Resources and Community Development.

Implementation Time Frame:

The following graph shows the time frame for achieving policies described in this plan. Many of these policies will not be implemented unless adequate State and Federal funds are provided from the years in which local grant applications are processed.

Local Action	Time Frame				
	1981	1983	1985	1987	1989
Zoning and Subdivision Revision	<hr/>			<hr/>	
Capital Facility Plan		<hr/>			
Beach Access Plan		<hr/>			
Redevelopment Plan					
Commercial	<hr/>				
Beach Access	<hr/>				
Public Sewer (*)	<hr/>				
Land Use Plan Update		<hr/>			

*Town approves construction to begin as soon as possible with anticipated completion by 1986.

PART VI: LAND CLASSIFICATION

State regulations governing land use plans in the coastal area require that any land use plan seeking certification by the Coastal Resources Commission have a land classification system. Land classification is designed to provide a framework to be used by local governments in identifying the future use of all lands in its jurisdiction. The designation allows the local government to illustrate their policy statements as to where and at what density they want growth to occur, and where they want to conserve natural and cultural resources by guiding growth. Land classification is not a regulatory mechanism: it is not a zoning map, but rather a future land use map.

10.1 Land classes: definitions.

The Town has decided to divide the land into the following categories. They are listed and defined as follows: (several of the definitions, namely (A), (D), (F), are adapted from the State regulations to which more particular reference is made.

(A) Developed. Those areas currently developed for urban use at a density near 500 dwellings per square mile and served by public water, sewer, recreation, police and fire. (Not Applicable.)

(B) Developed II. Those areas currently residentially developed and not in a development limited area or a planned redevelopment area, with a density near 500 dwellings per square mile and served by public water, police and fire.

(C) Developed III. Those areas currently commercially developed and not planned for redevelopment, and served by public water, police and fire.

(D) Transition. Those areas intended to provide for varying future levels of urban development within the next ten years on lands considering the suitability for such use. These areas will be scheduled for provision of public water, sewer, recreation, police and fire. Since the Town intends that the entire area be served by public sewer and other services within the next ten years, technically all land except that classified as conservation is transition. In order to make this classification more meaningful, the Town has developed the following subclassifications.

(1) Transition: Moderate to High Density Residential. Those areas lacking in significant environmental or other development constraints, including wetlands, steep slopes, dunes, closeness to estuarine resources and on poor soils for septic systems (constraint to be removed when sewer actually provided), wooded and vegetated areas. Approximate density 6 to 25 units per acre.

(2) Transition: Low to Moderate Density Residential. Those areas lacking in significant environmental or other development constraints but which have an already established low density character and which are not in such poor condition that redevelopment seems advisable or necessary. Approximate density 4 to 6 units per acre.

(3) Transition: Commercial. Those areas intended to provide for future commercial growth. These uses include commercial housing, marinas, and the like. Approximate density 3 to 4 units per acre.

(4) Transition: Limited Development Due to Fragile Features or Other Conditions. Those areas possessing environmental or other development constraints where the density and nature of development is intended to be limited. Development near or in this area is encouraged to utilize planned unit development. These fragile features included wooded areas,

dunes, estuarine shoreline on unsuitable soils for septic systems. Density in these areas will not exceed that of the Low Density Residential Transition Area described above when developed with planned unit development, nor will exceed 66% of that density when developed in a conventional manner.

(5) Transition: Redevelopment Commercial. Those areas currently in residential or commercial use but in poor or dilapidated condition or having uses that greatly underutilize the potential of the land. These areas are deemed by the Town to be more suitable for higher development uses. In some instances these areas may include areas one would expect to include in Limited Development Transition areas, however, they are included in this classification in order to alleviate what appears or has been proven to be an existing damage to the resource: the presumption being that a future use would pose less damage than the existing one.

(6) Transition: Redevelopment Residential. Those areas currently in residential or commercial use as above, but where development will be limited to residential redevelopment only.

(7) Transition: Institutional. Those areas intended to provide for the future public needs of the Town. These areas include streets, beach access areas, school sites. These areas are not mapped because they are part and parcel of development of other transitional areas.

(E) Conservation. Those areas deserving of long-term management because of natural, cultural, recreational, productive or scenic values. These areas include wetlands and water bodies within the Town. These areas are inappropriate for future commercial and residential development. Technically, the ocean hazard AEC would also qualify to be included in

this area, however, since most of the lots extend beyond the area totally restricted to development, and since much of this area is also already developed, these areas were classified under one of the other classifications.

(G) Community. Not applicable.

(H) Rural. Not applicable.

10.2 Uses Allowed in the Classes

The following table is meant to illustrate uses not allowable in each class: (* = not allowed)

District	USES						Resource Production				
	Residential			Commercial			Mi	F	A	EA	OS
	SF	MF	MH	M/H	Ma	O					
A	Not Applicable										
B				*	*	*	*	*	*	*	*
C							*	*	*	*	*
D 1			*		*	*	*	*	*	*	*
2			*		*	*	*	*	*	*	*
3	*	*	*				*	*	*	*	*
4			*				*	*	*	*	*
5	*		*				*	*	*	*	*
6			*	*	*	*	*	*	*	*	*
7		*	*	*	*	*	*	*	*	*	*
E	*	*	*	*	*	*	*	*	*	*	*
F	Not Applicable										
G	Not Applicable										

SF=single family; MF=multi-family, townhouse, apartments, condominiums; MH=mobile homes; M/H=motels, hotels; Ma=marinas; O=other commercial uses; Mi=mining; F=forestry; A=agriculture; E=energy and energy access; OS=open space uses.

10.3 Relationship between Policies and Land Classification:

The land use plan has outlined several policies designed to protect natural features or which recognize limitations on development. These policies were designed not to prohibit development but rather to encourage that the development be designed to be more in harmony with nature. The features recognized in these policies include: dunes (secondary), estuarine shoreline areas where soils are limited in capability for handling on-lot-sewage disposal systems, wooded and vegetated areas constituting the maritime system. These areas are designated as transition. The Town intends to make these areas districts in the zoning ordinance and to provide the regulations necessary to carry out the policy in the land use plan. In most of these areas it is the clearing of the land and the method of development more than the actual number of units that pose the gravest problems to the environment.

The land use plan outlined a number of policies directed at redeveloping areas in poor or dilapidated condition. The general goal of these areas is to provide for higher market uses in these areas and allow the market to work with the zoning ordinance to remove the unacceptable uses.

The land use plan identified a number of uses that the Town considers inappropriate with existing development or with the preferred use of the resource, especially the harvesting of forest resources, the mining of the dune system, or beaches, etc. Uses of these resources for forestry, agriculture, fisheries, energy facilities, etc. is inappropriate. These uses will be prohibited in the zoning ordinance.

In terms of service provisions, the Town recognized its legal responsibility to provide an equal level of services to all residents within the Town. The Town will attempt to use public spending to encourage

development of those areas that can most aptly develop at highest densities with the least damage to the environment. Spending will include the location and timing of beach access areas, recreational facilities and public buildings, and the plans for paving, redesign of streets and construction of a local collector system. Limited Development areas will be designated as a low priority for public spending projects likely to increase growth primarily in those areas. A recognized exception to this policy is to prioritize public spending when the expenditure is intended to improve environmental quality or eradicate existing damage. For example, top priority will be given to building local sewer collectors to Soundside and Canal lots despite this area being a Limited Development area, as the goal is to improve estuarine quality even at the risk of increasing density of development.

Many of the policies do not lend themselves to implementation through mapping. Hence, they are difficult to relate to land classification. In general, the Town intends to implement its land classification map through a redrafting and redesigning of its zoning map. The uses and standards connected with the future zoning map have been outlined in this plan.

The Town desires that the State and Federal government apply its policies in agency review. Since the Town intends to use its land classification map and policies to develop a revised zoning map and ordinance, the Town desires that agencies ultimately be consistent with the details of the latter as well as the broader statements of direction included in the former.

LAND CLASSIFICATION MAP B

TOWN OF ATLANTIC BEACH CARTER COUNTY, NC.

- DEVELOPED II
- DEVELOPED III AND INSTITUTIONAL
- TRANSITION: REDEVELOPMENT COMM.
- TRANSITION: REDEVELOPMENT RESID.
- CONSERVATION
- TRANSITION: FRAGILE
- TRANSITION: COMMERCIAL
- TRANSITION: LOW-MOD. DENSITY RESID.
- TRANSITION: MOD-HIGH DENSITY RESID.



